

REMARKS

Upon entry of the forgoing amendment, claims 1 and 3-6 are pending in the application, with claims 9, 11, 12, 15, and 21-46 withdrawn by the Examiner under 37 C.F.R. § 1.142(b). In anticipation of allowance, claims 2 and 7-48 are hereby canceled without prejudice to, or disclaimer of, the material contained therein. Claims 1, 3-8, 13, 14, 16-20, 47 and 48 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Also, claims 1, 3-8, 10, 13, 14, 16-20, 47 and 48 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claim 1 is amended to recite a method to reduce recruitment of IDO+ dendritic cells that inhibit T-cell proliferation to at least one of a tumor or a tumor-draining lymph node in a subject comprising administering a composition comprising an antibody to CCR6 to the subject to reduce recruitment of the IDO+ dendritic cells to the at least one of a tumor or a tumor-draining lymph node, wherein the IDO+ dendritic cells express CCR6 and elevated levels of indoleamine 2,3-dioxygenase (IDO), and tumor cells of the at least of a one tumor or a tumor draining lymph node express MIP-3 α . Thus, claim 1 has been amended to include the limitations of previously filed claims 3-8, 16 (or 10 and 14), and 47. Claims 4 and 5 are amended to include the limitations of previous claim 1 (claim 5) or amended claim 1 (claim 4) in the dependent claims. Amended claim 6, reciting that the MIP-3 α mediates recruitment of the IDO+ dendritic cells to the at least one of a tumor or a tumor draining lymph node is supported by the specification at page 11, lines 28-30, and at page 20, lines 15-21. As support for the amended claims is found in the specification or the previously filed claims, no new matter is added by the amendment of the claims.

The Rejection of Claims Under 35 U.S.C. § 112, First Paragraph, Is Traversed Or Rendered Moot

The Examiner stated that the scope of claims 1, 3-8, 13, 14, 16-20, 47 and 48 were not enabled by the specification. The Examiner stated, however, that the specification is enabling for:

A method to reduce recruitment of antigen presenting cells (APCs)
(or their precursors or IDO+ dendritic cells) that inhibit T-cell
proliferation to a tumor site (or tumor draining lymph node) in an

individual, wherein said APCs (or said precursors or said IDO+ dendritic cells) express elevated levels of indoleamine 2,3-dioxygenase (IDO) and chemokine receptor CCR6 and wherein tumor site (or tumor draining lymph node) expresses MIP-3 α , comprising administering a composition comprising an antibody to CCR6 to the subject to reduce recruitment of said APC or (said precursors or said IDO+ dendritic cells).

Office Action at page 3.

Applicants respectfully assert that the claims as previously filed were enabled for the reasons stated in the previously filed response. However, to further prosecution, Applicants have amended claim 1 essentially as suggested by the Examiner. The amended claims clarify that the composition comprises an antibody to CCR6, that the IDO+ cells are IDO+ dendritic cells (a type of IDO+ antigen presenting cell; see e.g., the specification at page 17, lines 29-31 and Examples 5, 8 and 9), that the site of recruitment is at least one of a tumor and/or a tumor draining lymph node, that the IDO+ dendritic cells express CCR6, and that the at least one tumor or tumor draining lymph node expresses MIP-3 α . Accordingly, Applicants respectfully assert that the claims are enabled by the specification, and request that the rejection be withdrawn.

The Rejection of Claims Under 35 U.S.C. § 112, Second Paragraph, Is Traversed Or Rendered Moot

The Examiner also rejected claims 1, 3-8, 10, 13, 14, 16-20, 47 and 48 as indefinite under 35 U.S.C. § 112, second paragraph. Thus, the Examiner stated that the claims were indefinite because of the interchangeable use of IDO+ APCs (claims 1 and 16) and IDO+ antigen presenting cells (APCs) (claims 4, 6 and 18). The Examiner also stated that claims 1 and 16 were indefinite for used of the recitation -- a method to reduce recruitment of **antigen presenting cells (APCs)** (claim 1 and claim 16) **to a tumor** (claim 16) in a subject comprising administering a composition to the subject to reduce recruitment of **IDO+ APCs or their precursors** (claim 1 and claim 16) to at least one of **a tumor or a tumor draining lymph node** (claim 16) in the subject -- as the preamble and body of the claims were not consistent. Office Action at page 7.

Applicants have amended the claims to delete claims 6, 16 and 18. Further, Applicants have amended claim 1 to use consistent terminology in the preamble and the

body of the claim. Thus, Applicants respectfully assert that the rejection of the claims as indefinite under 35 U.S.C. 112, second paragraph, has been rendered moot, and request that the rejection be withdrawn.

CONCLUSION

In view of the foregoing amendment and remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections. The Examiner is respectfully invited to telephone the undersigned at (336) 747-7541 to discuss any questions relating to the application.

Respectfully submitted,

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